

ORAL ARGUMENT NOT YET SCHEDULED
No. 15-1489

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

SIERRA CLUB,

Petitioner,

v.

UNITED STATES DEPARTMENT OF ENERGY,

Respondent,

AMERICAN PETROLEUM INSTITUTE, LLC, ET AL.,

Intervenors for Respondent.

On Petition for Review of Orders of the Department of Energy
3357-B (November 14, 2014) and 3357-C (December 4, 2015)

**ERRATA TO OPENING AND REPLY BRIEFS OF
PETITIONER SIERRA CLUB**

Dated: July 5, 2016.

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Sierra Club hereby respectfully submits this errata to the Opening Brief of Petitioner Sierra Club filed on March 21, 2016 (Doc. No. 1605007) and the Reply Brief of Petitioner Sierra Club filed on June 21, 2016 (Doc. No. 1620863). These corrections have been made in the final forms of Petitioners' Opening and Reply Briefs filed today.

Opening Brief:

- Citations to the Joint Appendix have been added as necessary throughout Petitioner's Final Opening Brief.
- Sierra Club's mailing address has been updated throughout.
- On page 19, "principle" has been replaced with "principal."
- On page 22, added missing "the" before "electric sector" and replaced "shifting" with "shift."
- On page 31, the citation "*See, e.g., id.* at 65-65" has been changed to "*See, e.g., id.* at 56-65."
- On page 33, the citation to "*id.* at 1", indicating the date of completion of the Updated EIA Export Study, has been changed to "*id.* at 5."
- On page 43, deleted extraneous quotation mark in quote from 40 C.F.R. § 1508.7.

- On page 45, deleted “See” at beginning of footnote 18.
- On page 53, replaced “increase” with “increased.”
- On page 55, replace “V.” with “v.” in cite to *Mayo Found. v. Surface Transp. Bd.*, 472 F.3d 545, 555 (8th Cir. 2006).
- On page 56, the parenthetical to the citation to the Surface Transportation Board’s Powder River Basin Expansion Project EIS has been omitted.
- On page 61, replace periods with commas in citation to “Skone, Timothy, Senior Env’tl Engineer, Nat’l Energy Tech Lab. “LCA GHG Report for LNG Data”, Message to Sherri Liang, Associate Analyst, Sierra Club (December 22, 2014), Email, JA1095.”
- On page 71, replaced “precursor’s” with “precursors.”
- On page 73, replaced “*Id.*” with “Authorization Order.”
- On page 76, Sierra Club’s opening brief inadvertently referenced an earlier version of the “China Analysis Brief” than the one DOE relied upon here; Sierra Club had cited information for 2011 instead of 2012. The differences between the two are inconsequential with regard to Sierra

Club's argument about the relevant prevalence of different energy sources, but the brief has been updated to reflect the version in the record. Coal percentage was changed from 65 to 66%; wind from 6% to 5%, and oil from 3% to 2%.

- “Natural gas” has been replaced with “natural-gas.”
- “percent” has been replaced with “%.”
- Cites to DOE orders on have been simplified, stating order number, date, and location in the record or online. Pages 4, 5, 39, 45.

Following these changes, the Final Opening Brief includes 13,995 words; the Certificate of Compliance with Word Limitation has been changed accordingly.

Reply Brief:

- Citations to the Joint Appendix have been added or deleted as necessary throughout Petitioner's Final Reply Brief.

Following these changes, the Final Reply Brief includes 6,992 words; the Certificate of Compliance with Word Limitation has been changed accordingly.

Dated: July 5, 2016.

s/ Nathan Matthews

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CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of July, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice of such filing to all registered CM/ECF users.

/s/ Nathan Matthews
Nathan Matthews